

Net. to P.O. Adv Rec. 3 130

Opening & Extending of Barr St.
from No. LINE of Duck St.
to Clinton St.

Conf. 4/28/21

Approved - June 13 1901

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J. O. Brown

A. T. Andersen

Cell Band



SINGMASTER PRINTING CO., FORT WAYNE, IND.

DECLARATORY RESOLUTION NO. 425-1921.

For the opening and extending of Barr Street from the North line of Duck Street to Clinton Street.

Resolved by the Board of Public Works of the city of Fort Wayne, Indiana, that it is desired and deemed necessary to open and extend Barr Street from the North line of Duck Street to Clinton Street.

Said opening and extending to be made by condemning and appropriating for street purposes sufficient lots and lands described as follows: All that portion of Lots Nos. 4 and 5 Eliza Hanna Sr's Subdivision lying East of a line that is three hundred and sixty-five (365) feet East of the East line of Clinton Street; also all that portion of Subdivision No. 2 and south fifty (50) feet of subdivision No. 1 of Lot No. 1 Eliza Hanna Sr's Subdivision lying east of a point that is three hundred and sixty-five (365) feet East of the East line of Clinton Street on the south line of Subdivision No. 2 and three hundred and nine (309) feet on the North line of the south fifty (50) feet of Subdivision No. 1 of Eliza Hanna's Subdivision No. 1; also all that portion of the one hundred and nine (109) feet North of the South fifty (50) feet of Subdivision No. 1 of Lot No. 1 Eliza Hanna Sr's Subdivision above described lying East of a line that is three hundred and nine (309) feet East of the East line of Clinton Street on the south line and two hundred and forty (240) feet on the North line of said described portion of said subdivision No. 1; also all that portion of Lot No. 1 Eliza Hanna Sr's Subdivision lying North of the south three hundred and twenty-two (322) feet.

All as shown by a plan of such proposed opening and extending of Barr Street as above described now on file in the office of the Department of Public Works of said city.

The property which may be injuriously or beneficially affected by the opening and extending of Barr Street as above described is described as all lots and lands not occupied by streets and alleys lying south of the St. Mary's River, west of the St. Mary's River and Lafayette Street North of Holman Street and East of Clinton Street.

All of the above described streets and lots and lands affected by the above described opening and extending of Barr Street being situated in the Northeast $\frac{1}{4}$ Section 2, Township 30 North, Range 12 East and within the corporate limits of the city of Fort Wayne, Indiana.

Adopted this 7th day of April 1921.

W. B. Brown
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.....
.....
BOARD OF PUBLIC WORKS.

240'-on N. Line

The 28th day of APRIL, 1921 at 7:30 P.M. was fixed the time for hearing and considering objections or remonstrances from persons interested in or affected by the passage of the foregoing resolution, and to take final action on same, and notice thereof was published once each week for two weeks, namely: On the 9 and 16 day of April, 1921 respectively in the Fort Wayne News and Sentinel, a daily newspaper of general circulation, printed and published in the City of Fort Wayne, which notice with proof of publication is filed in this office in Advertising Record No.3, Page 130.

Pursuant to the foregoing proceedings had in the matter of extending-opening- BARR STREET in the City of Fort Wayne from the north line of Duck Street to Clinton Street by condemning and appropriating for such purpose, sufficient lots and lands described in the foregoing Declaratory Resolution. The Board of Public Works met at its office at 7:30 P.M. on the 28 day of APRIL, 1921 the time heretofore set to hear remonstrances and take final action.

No remonstrances having been filed or presented to show a good and sufficient cause why the above improvement should not be made or why such improvement was not a public utility and a necessity, the Board then and there took final action confirming said original resolution as adopted on the 7 day of APRIL, 1921, and later on the 23rd day of JUNE, 1921 the Board of Public Works approved an Assessment Roll containing a description of each piece of property or valuable interest affected thereby together with the amount of benefits assessed or damages awarded and the name of the owner of each piece of property set opposite each description of property, which assessment roll is recorded in Assessment of Benefits and Damages Record Number 4, Page 140.

The 4th day of August, 1928 was fixed a date when the Board would met at 7:30 o'clock P. M. for the purpose of hearing and considering objections or remonstrances from persons with regard to the amount of benefits assessed and damages awarded and for the purpose of taking final action thereon. A written notice of said hearing and the amounts of benefits assessed or damages awarded, was served upon each Resident Property Owner affected thereby. And later on the 22nd day of AUGUST, 1921 the Board of Public Works confirmed said roll of Assessments of benefits and awards of damages, taking final action thereon, and ordered the same to be forthwith delivered to the Department of Finance.

J. O BROWN

A. T. ANDERSEN

C. L. BAIRD
BOARD OF PUBLIC WORKS

ATTEST: F. G. WYNEKEN, Clerk.

I hereby certify that the foregoing is a true copy of the proceedings held in the matter of Declaratory Resolution Number 425; also that the Resolution and papers attached thereto are true copies of the original resolution and papers.

ATTEST: _____

Secretary.

PLAN OF THE OPENING
OF
BARR STREET.
FROM
DUCK ST. TO CLINTON ST
DEC. RES. NO 425, 1921.



DEPARTMENT OF PUBLIC WORKS

CITY OF FORT WAYNE,

IN RE DECLARATORY RESOLUTION
NUMBER 425 - 1921 ADOPTED BY THE
BOARD OF PUBLIC WORKS OF THE
CITY OF FORT WAYNE ON THE
SEVENTH (7th) DAY OF APRIL, 1921

Comes now Amelia Paul, George C. A. Ortlieb, William Ortlieb and Arthur J. Ortlieb, the owners of the undivided One hundred nine (109) feet South of the North eighty one (81) feet of lot number 1, S. Hanna's subdivision of Eliza Hanna's, Senior subdivision North of Duck Street, who have heretofore, to wit, on the fourth day of August, 1921 filed before your honorable Board a remonstrance in the above entitled matter, and who come now at the instant ~~and suggestion of said~~ of said Board and do hereby agree to accept as damages in the above entitled matter the sum of One thousand three hundred fifty one dollars and sixty cents (\$1351.60), which said sum is based on the fact that in the opening and extending of Barr Street as is provided for in said resolution, the said city is appropriating six thousand seven hundred fifty eight (6758) square feet of real estate belonging to the undersigned remonstrators, which the undersigned believe that said property which is being appropriated is of the value of at least twenty cents (20¢) per square foot, and that although the said sum does not or will not fully compensate the undersigned for the damages sustained in the appropriation of said property, that they are willing to accept said sum in full settlement of all damages sustained by them.

Amelia Paul
George C. A. Ortlieb
William Ortlieb
Arthur J. Ortlieb

Board of Public Works, *Fort Wayne Ind*

Gentlemen

Declaratory Resolution No. 425.

Adopted April 7, 1921.

With regard to the Assessment of damages for the
62 x 103 part of Lot 2 Eliza Hanna Senior's Subdivision
covered by the above Resolution, I beg to state that I believe
that \$1200.00 is fair and reasonable compensation for the
appropriation of that land and I would be willing to accept
such an amount for appropriation of that land.

Respectfully
Carrie Michael
by Herman Michael

REMONSTRANCE

Fort Wayne, August 4th 1921.

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of ^{the following} real

estate fronting on ^{South} 103 ft. of Lot 2 S. Hanna's Subdivision, from
 of E. Hanna's Subdivision North of Duck Street

respectfully remonstrate against the passage of a resolution providing for opening and extending
 of Barr Street from the north line of Clinton Street, as is
 set forth and provided for in declaratory resolution
 # 425-1921 adopted by the Board of Public Works of said City
 on the 7th day of April 1921, on the following grounds;

- 1st That the damages allowed are not sufficient in amount
- 2nd That the opening and extending of said Street is not a public utility
- 3rd That the opening and extending of said Street is contrary to law.
- 4th Because in opening and extending said Street the cost of paving same would fall entirely on the remonstrator herein as there is no abutting property other than that of the remonstrator herein that could be assessed.

Wherefore remonstrator prays that the ^{said} Street be
 not opened, and that if the board does order
 the opening and extending of said Street
 that the remonstrator's damage be
 fixed at \$5000⁰⁰

Barrie Michael



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REMONSTRANCE

*Against the Passage of a Resolution for
Improving*

from

street

to

street

FILED WITH THE

DEPARTMENT OF PUBLIC WORKS

CITY OF FORT WAYNE

In re Declaratory resolution number four twenty five - nineteen hundred twenty one, adopted by the Public Works of the City of Fort Wayne on the seventh day of April, nineteen hundred twenty one. Comes now Amelia Paul, George C. A. Ortlieb, William Ortlieb, Arthur J. Ortlieb, the owners of the undivided one hundred nine feet south of the North eighty-one feet of Lot number one S. Hanna's subdivision of Eliza Hanna, senior, subdivision North of Duck Street, hereby remonstrate against the opening and extending of Barr street from the North line of Duck street to Clinton Street as is set forth and provided for in declaratory resolution number four twenty five - nineteen hundred twenty one, by the Board of Public Works, adopted on the seventh day of April, nineteen hundred twenty one, on the ground that the damages allowed are not sufficient in amount and do not in any manner tend to compensate your remonstrators for the property which is being appropriated as is provided for in the aforesaid resolution. Your remonstrators will respectfully show that the aforesaid described real estate which is being appropriated as is provided for in the aforesaid resolution ~~and~~ is located in the heart of the city of Fort Wayne, on the principal street of the city of Fort Wayne, and within ^{five} ~~four~~ blocks of the Court House; that the opening and extending of said street as is provided for in said resolution will be of no public benefit and that it will damage your remonstrators herein to the extent of five thousand dollars (\$5000.00).

Your remonstrators would further show that in so opening and extending said street as is provided for in the said resolution that the cost of paving said street would fall entirely upon your remonstrators as there is no abutting property other

than ^{that of} the remonstrators ~~her~~erein, that could be assessed. Therefore, the entire cost thereof would fall entirely against the property of remonstrators herein.

Your remonstrators herein would further show that the opening and extending of said street would not be a public utility and is entirely contrary to law.

Wherefore, your remonstrators pray your Honorable Board that the street as described in said resolution be not opened, and that said Declarator resolution number four hundred twenty five - nineteen hundred twenty one be rescinded, and that if the Board does order the opening and extending of said street as is provided for in said resolution that your remonstrators herein be allowed damages in the sum of five thousand dollars (\$5000.00).

Amelia Paul

George P. A. O'Brien

William O'Brien

Arthur J. O'Brien

No. _____

MEMORANDUM

DECLARATORY RESOLUTION 425-1921

Amelia Paul, et al

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STEPHEN A. CALLAHAN
ATTORNEY-AT-LAW
FORT WAYNE, INDIANA

ATTORNEY FOR

Fort Wayne, Indiana, March 22, 1921.

Mr. F. M. Randall, City Engineer

Dear Sir:--

You are hereby directed to prepare plans for the opening of Barr Street to the St. Mary's River.

Respectfully yours,

F. H. Wynneken Clerk.
Board of Public Works.

